

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

(1) CHRISTA HIGGINS, Individually and
(2) RUBEN RUBIO, Individually,

Plaintiffs,

vs.

(1) ALLSTATE INDEMNITY COMPANY,

Defendant.

Case No. CIV-14-959-R

NOTICE OF REMOVAL OF CIVIL ACTION

COMES NOW Defendant, Allstate Indemnity Company, and removes this case from the District Court of Oklahoma County, State of Oklahoma to the United States District Court for the Western District of Oklahoma on the following grounds:

1. Allstate Indemnity Company is the Defendant in a civil action commenced on August 20, 2014, in the District Court of Oklahoma County, Case No. CJ-2014-4689, styled *Christa Higgins and Ruben Rubio, Plaintiffs v. Allstate Indemnity Company, Defendant*.

2. This action is a civil action over which this Court has original jurisdiction under 28 U.S.C. §1332 and which the Defendant, Allstate Indemnity Company, is entitled to remove to this Court, pursuant to 28 U.S.C. §1441, *et seq.*, in that the amount in controversy exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, and the action is between citizens of different states, as at the time of the commencement of this action and at all times subsequent thereto, the Defendant, Allstate Indemnity Company, is a wholly-owned subsidiary of Allstate Insurance Holdings, LLC, which is a Delaware limited liability company, and the Plaintiffs, Christa Higgins and Ruben

Rubio have been and still are citizens of the State of Oklahoma. Further, Allstate Insurance Holdings, LLC is a wholly-owned subsidiary of The Allstate Corporation, a Delaware corporation. The stock of The Allstate Corporation is publicly traded. No publicly-held entity owns 10% or more of the stock of The Allstate Corporation.

3. This case meets all requirements of diversity in that the parties are citizens of different states (as set forth in Paragraph No. 2, above) and the amount in controversy exceeds \$75,000 as set forth in the Petition that initiated this action, and which is attached hereto as Exhibit "2."

4. This Notice is timely filed with this Court within thirty (30) days after service upon the Petitioners of Summons by which this case became removable.

5. A copy of the state court docket sheet is attached hereto as Exhibit "1."

6. A file-stamped copy of the Petition is attached hereto as Exhibit "2" and is incorporated herein by reference.

7. A file-stamped copy of the Summons is attached hereto as Exhibit "3" and is incorporated herein by reference.

8. A file-stamped copy of the Return of Service is attached hereto as Exhibit "4" and is incorporated herein by reference.

9. A file-stamped copy of the Entry of Appearance of the attorney for Defendant is attached hereto as Exhibit "5" and is incorporated herein by reference.

10. A file-stamped copy of Defendant's Reservation of Time is attached hereto as Exhibit "6" and is incorporated herein by reference.

WHEREFORE, Defendant, Allstate Indemnity Company, prays that the above action now pending in the District Court of Oklahoma County, State of Oklahoma, be removed from that Court to this Court.

s/ David B. Donchin,

David B. Donchin

Bar Number: 10783

Thomas R. Kendrick

Bar Number: 17760

Kaci L. Trojan

Bar Number: 22752

Attorneys for Defendant

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CERTIFICATE OF SERVICE

☒ I hereby certify that on September 8, 2014, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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Attorney for Plaintiffs

s/ David B. Donchin

David B. Donchin
Thomas R. Kendrick
Kaci L. Trojan

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